

**FENWICK & WEST LLP**

SAN FRANCISCO OFFICE | EMBARCADERO CENTER WEST

275 BATTERY ST., SUITE 1500 | SAN FRANCISCO, CA 94111

TEL 415.875.2300 | FAX 415.281.1350 | WWW.FENWICK.COM

RECEIVED
CENTRAL FAX CENTER

FEB 22 2005

FACSIMILE TRANSMISSION**CONFIDENTIAL**

DATE: February 22, 2005

ATTORNEY DOCKET NO.: 23714-07992 US

Client ref. 2670

To:

NAME	FAX NO.	PHONE NO.
USPTO	(703) 872-9306	

FROM: Susan Hubl
Reg. No. 47,668

PHONE: (415) 875-2316

SENT BY: Tracie Brooks

PHONE: (415) 875-2482

NUMBER OF PAGES WITH COVER PAGE: 7

ORIGINAL WILL NOT FOLLOW

MESSAGE:

Please See The Attached
RESPONSE TO RESTRICTION REQUIREMENT

10/773,356

A1000/00103/SF/5121030.1

CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR THEIR DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, OR IF THEY ARE NOT CLEAR,
PLEASE CALL Tracie Brooks AT (415) 875-2482 AS SOON AS POSSIBLE.

0001/PTO Rev. 10/95		U.S. Department of Commerce Patent and Trademark Office	
TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>		Application Number	10/773,356
		Filing Date	FEBRUARY 5, 2004
		First Named Inventor	WEINER
		Group Art Unit Number	1644
		Examiner Name	EWOLDT
Total Number of Pages in This Submission	7	Attorney Docket Number	23714-7992/US

ENCLOSURES (check all that apply)	
<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) []
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A	<input checked="" type="checkbox"/> FAX COVER SHEET
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> _____
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/> _____
<input checked="" type="checkbox"/> Response to Restriction Requirement: [5] Page(s) <input type="checkbox"/> After Final	<input type="checkbox"/> _____
<input type="checkbox"/> Status Request	<input type="checkbox"/> _____
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> _____
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:	<i>Susan T. Hubl</i>		
Attorney/Reg. No.:	SUSAN T. HUBL, PH.D., PATENT AGENT/ REG NO. 47,668	Dated:	2/22/05

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.			
Signature:	<i>Susan T. Hubl</i>		
Typed or Printed Name:	SUSAN T. HUBL	Dated:	2/22/05
Facsimile Number:	1-703-872-9308		

23714/07992/SF/5125124.1
07/21/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**
CENTRAL FAX CENTER

APPLICANT(S):	LESLIE WEINER ET AL.	FEB 22 2005
APPLICATION NO.:	10/773,356	
FILING DATE:	02/05/2004	
TITLE:	T CELL VACCINATION FOR THE TREATMENT OF MULTIPLE SCLEROSIS	
EXAMINER:	GERALD EWOLDT	
GROUP ART UNIT:	1644	
ATTY. DKT. NO.:	23714-07992 US (client ref 2670)	
CERTIFICATE OF TRANSMISSION		
I hereby certify that this correspondence is being transmitted on the date shown below via facsimile to the attention of: Examiner EWOLDT at facsimile number 703-872-9306.		
Dated:	2/22/05	By: <i>Susan T. Hubl</i> Susan T. Hubl, Ph.D., Reg. No.: 47,668

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

SIR:

A Restriction Requirement was mailed 01/21/2005, requesting election between Group I (product claims 1-7 and 20) and Group II (method claims 8-19). Apparently this Restriction Requirement was issued in error, as Applicant filed a Preliminary Amendment with the above referenced application, canceling claims 1-7 and 20 and adding new claims 21-30. Following entry of the amendments claims 8-19 and 21-30 are pending and at issue.

A telephone call with Examiner Ewoldt on 02/08/2005 confirmed that the Preliminary Amendment is of record and the Restriction Requirement was inadvertently issued in error. Accordingly, Applicant respectfully requests withdrawal of the Restriction Requirement, and examination of the claims. As a courtesy, Applicant provides the following clean copy of the pending claims following entry of the preliminary amendments dated 02/05/2004. NO NEW AMENDMENTS TO THE CLAIMS ARE MADE HEREIN.